

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

MINUTES

November 27, 2001

The Board of Education and Board of Vocational Education met for the regular business meeting in Senate Room B at the General Assembly Building, Richmond, Virginia, with the following members present:

Mr. Kirk T. Schroder, President
Ms. Susan T. Noble, Vice President
Mrs. Diane T. Atkinson
Mr. Mark C. Christie
Mrs. Audrey B. Davidson

Mrs. Susan L. Genovese
Mr. Scott Goodman
Dr. Gary L. Jones
Mrs. Ruby W. Rogers

Dr. Jo Lynne DeMary
Superintendent of Public Instruction

Mr. Schroder, president, presided and called the meeting to order at 9:15 a.m.

INVOCATION/PLEDGE OF ALLEGIANCE

Mr. Schroder asked for a moment of silence and led in the Pledge of Allegiance.

APPROVAL OF THE MINUTES OF THE BOARD

Ms. Noble made a motion to approve the October 22, 2001, minutes of the Board of Education. The motion was seconded by Mrs. Rogers and carried unanimously. Copies of the minutes had been distributed previously to all members of the Board for review.

APPROVAL OF THE AGENDA

The following items were added to the consent agenda: *Item G, First Review of Proposed Technical Revisions to Regulations Governing Programs for Children with Disabilities in Virginia (8 VAC 20-80-10 et.seq.)* and *Item Q, Report of the Recommendations of the Joint Task Force on the K-12 Teaching Profession in Virginia.*

The following item was postponed until the January meeting: *Item N, First Review of Board of Education Report to Governor and General Assembly on Public Education.* The following item was added to the agenda: *A Request from Isle of Wight County for an Extension of Time to Select a Superintendent.*

Mrs. Rogers made a motion to approve the amended agenda. The motion was seconded by Mrs. Genovese and carried unanimously.

CONSENT AGENDA

Mrs. Genovese made a motion to approve the consent agenda. The motion was seconded by Mrs. Rogers and carried unanimously.

- Final Review of Recommendations Concerning Release of Literary Fund Loans for Placement on Waiting List
- Final Review of Recommendations Concerning Applications for Literary Fund Loans
- Final Review of Financial Report on Literary Fund
- Final Review for Placement of a Stafford County Literary Fund Project on the First Priority Waiting List
- First and Final Review and Adoption of Proposed Technical Revisions to Regulations Governing Programs for Children with Disabilities in Virginia (8 VAC 20-80-10 et.seq.)
- First and Final Review and Adoption of the Report on the Recommendations of the Joint Task Force on the K-12 Teaching Professional in Virginia

Final Review of Recommendations Concerning Release of Literary Fund Loans for Placement on Waiting List

The Department of Education's recommendation that funding for two projects in the amount of \$2,500,000 be deferred and the projects be placed on the First Priority Waiting List was accepted by the Board of Education's vote on the consent agenda.

First Priority Waiting List

COUNTY, CITY, OR TOWN	SCHOOL	AMOUNT
Wythe County	Scott Memorial Elementary	\$700,000.00
Brunswick County	Brunswick High Technology Center	1,800,000.00
	TOTAL	\$2,500,000.00

Final Review of Recommendations Concerning Applications for Literary Fund Loans

The Department of Education's recommendation to approve two new applications in the amount of \$2,500,000 subject to review and approval by the Office of the Attorney General pursuant to Section 22.1-156, *Code of Virginia*, was accepted by the Board of Education's vote on the consent agenda.

COUNTY, CITY, OR TOWN	SCHOOL	AMOUNT
Wythe County	Scott Memorial Elementary	\$700,000.00
Brunswick County	Brunswick High Technology Center	1,800,000.00
	TOTAL	\$2,500,000.00

Final Review of Financial Report on Literary Fund

The Department of Education's recommendation to approve the financial report on the status of the Literary Fund as of September 30, 2001 was accepted by the Board of Education's vote on the consent agenda.

Final Review for Placement of a Stafford County Literary Fund Project on the First Priority Waiting List

The Department of Education's recommendation that the Board of Education place the project for Fritters Lane Subdivision Elementary School in the amount of \$7,500,000 on the First Priority Waiting List as if it had been approved in June, 2001, when the plans were approved and when the application should have been presented to the Board for consideration was accepted by the Board of Education's vote on the consent agenda. This will place the project as priority number 29 on the waiting list, and all projects that follow this project will move down the list by one position.

First and Final Review and Adoption of Proposed Technical Revisions to Regulations Governing Programs for Children with Disabilities in Virginia 8 VAC 20-80-10 et.seq.)

The Department of Education's recommendation that the Board waive first review, adopt the revisions as presented, and authorize staff to finalize the regulations as required by the Administrative Process Act, was accepted by the Board of Education's vote on the consent agenda.

First and Final Review and Adoption of the Report on the Recommendations of the Joint Task Force on the K-12 Teaching Profession in Virginia

A Joint Task Force on the K-12 Teaching Profession in Virginia was appointed by the Board of Education and the State Council of Higher Education for Virginia (SCHEV). The purpose of the task force was to develop a series of recommendations on issues facing the teaching profession in Virginia and to advise the Board of Education and SCHEV of such initiatives for review and action.

The Joint Task Force on the K-12 Teaching Profession in Virginia was comprised of teachers, administrators, a school board member, a division superintendent, deans, college and university representatives, community college officials, a parent representative, and representatives from professional organizations including the Virginia Education Association, Virginia Association of School Superintendents, and Virginia Association of Colleges for Teacher Education. The Department of Education and the State Council of Higher Education for Virginia staffed the task force. Susan Genovese, member of the Virginia Board of Education, and Whitney Adams, member of the State Council of Higher Education for Virginia, co-chaired the task force.

The task force developed the following vision statement:

Teaching is a valued profession that attracts, develops, and retains skilled, talented, and diverse individuals who effectively advance learning for all students.

The report from the Joint Task Force on the K-12 Teaching Profession in Virginia was accepted by the Board of Education's vote on the consent agenda.

RESOLUTIONS

The Board of Education presented the following Resolutions of Recognition and Appreciation:

- A Resolution of Recognition Honoring the Memory of Dr. Davis Young Paschall, 1911-2001, was presented to his family. Dr. Paschall's daughter, Ms. Elizabeth Paschall of Richmond; his son, Mr. Phillip Paschall of Winchester; and his grandchildren, Mr. William Mirquet and Ms. Alice Phillips were in attendance.
- A Resolution of Appreciation was presented to Mrs. Sue Glasco, Immediate Past-President, Virginia PTA/PTSA.
- A Resolution of Appreciation was presented to the Honorable Wilbert Bryant, Secretary of Education for the Commonwealth of Virginia.
- A Resolution of Appreciation was presented to the Honorable Cheri P. Yecke, Deputy Secretary of Education for the Commonwealth of Virginia.
- A Resolution of Recognition was presented to Mr. Bruce Miller as Recipient of the Board of Education's Arts Leadership Award.

ACTION/DISCUSSION ITEMS

A Request from Isle of Wight County for an Extension of Time to Appoint a Superintendent

The Isle of Wight County School Board has requested an extension of time required by law to appoint a superintendent. The Chairman of the School Board has informed the Department of Education that a new superintendent will be appointed at the January 21, 2002, school board meeting.

Mrs. Davidson made a motion to grant the request of Isle of Wight County to extend the time period required by law for appointing a superintendent for an additional 60 days, contingent on the local board naming someone on January 21, 2002. If a superintendent is not appointed by January 21, 2002, the matter will come back to the

Board of Education to appoint a superintendent. The motion was seconded by Mrs. Rogers and carried unanimously.

Report and Recommendations from the Board of Education Student Advisory Committee

The following members of the Board of Education Student Advisory Committee attended the meeting:

Ryan Durham, Jones Magnet Middle School, Hampton
Adam Erby, Lunenburg Middle School, Lunenburg County
Matt Musick, Honaker High School, Russell County
Kathryn Ramsey, Halifax County High School, Halifax County
Leslie Stevens, Essex High School, Essex County
Naaila Gray, Jamestown High School, Williamsburg/James City County
William Bowser, Richmond Community High School, Richmond City
Jonathan Cross, Washington Irving Middle School, Fairfax County
Kemp Newnam, Jr., Bassett High School, Henry County
Patrick Haley, Western Albemarle High School, Albemarle County
Ryan Scofield, Broad Run High School, Loudoun County

Emily Browning, Damascus Middle School, Washington County, was unable to be present for this meeting.

Mr. Schroder invited each member to come to the podium to introduce himself or herself to the Board and to the audience. Mr. Schroder then invited the Student Advisory Committee to present its recommendations to the Board. Mr. Schroder noted that the SAC has addressed three issues to date, each of which will be presented at this meeting.

Standards of Learning (SOL) Test and Incentives/Exemptions

Ryan Scofield presented this item. Ryan said the committee believes this issue should be considered by the Board of Education because there have been questions as to whether these policies are beneficial or harmful to the overall learning environment. The Student Advisory Committee feels that the issue of incentive and exemption policies should be left up to the discretion of school divisions. Through research, the committee found that a statewide policy might not fit the needs of individual divisions because of differences among them.

The Student Advisory Committee recommended that the Board of Education consider the following actions:

- (1) Take a limited role in delegating specific policies for all school divisions;
- (2) Establish an online “idea bank” to provide school divisions with possible motivation incentives; and

- (3) Inform school divisions of this resource through superintendent and principal memorandums.

Mr. Scofield explained that the “idea bank” would consist of ideas from teachers/administrators who have found their motivation techniques to be successful.

In response to the recommendations, the Board requested the Superintendent of Public Instruction and her staff to survey the school divisions to find out what types of policies are already in use solely for informational purposes.

Quality of Substitute Teachers

Adam Erby presented this item. Adam said the quality of substitute teachers is a concern of the committee because of adequate classroom training, behavior management techniques, and concerns about moral character.

The committee recommended that the Board of Education consider taking the following actions:

- (1) Age requirements not specified in the regulations of the Board of Education should be at the discretion of the localities;
- (2) Background checks should be completed prior to an applicant’s hiring;
- (3) A list of references to include employers, or other persons or organizations, with which the applicant has been affiliated, should be submitted along with the application. Schools are encouraged to check references prior to hiring an applicant;
- (4) Individuals without prior teaching experience should observe experienced teachers in classroom settings as part of the orientation process;
- (5) Experienced educators should observe substitute teachers in the classroom to evaluate the substitute teacher’s effectiveness; and
- (6) A Web site should be launched by the Board of Education that includes a resource guide pertaining to classroom behavior management. Principals should be notified of the availability of this service.

Dr. Thomas Elliott, assistant superintendent for teacher education and professional licensure, said many of these issues, such as safety, age requirements, and fingerprinting, are already addressed to some degree in the Board’s regulations. Dr. Elliott noted that the availability of qualified substitutes varies widely by school divisions and that, in some instances, the pay is quite low. All of these factors impact this issue.

The Board requested the Superintendent of Public Instruction and staff to send a memorandum to school divisions to make the concerns of the Student Advisory Committee known to the field. Mrs. Davidson and Mrs. Genovese volunteered to work with staff on this issue.

Developmental Support Program for Students with Disabilities

William Bowser presented this item. Mr. Bowser said the committee identified numerous concerns related to students with disabilities in Virginia schools. There were deficiencies in areas such as motivation in the classroom, parental involvement, social and academic integration, student disability awareness, the commendation of the achievement of students with disabilities, and the acceptance of students' developmental needs.

The committee recommended that the Board of Education consider the following actions:

- (1) Encourage after-school parental involvement programs in local school divisions in order to educate and support the parents of students with disabilities;
- (2) Integrate disabilities into the health Standards of Learning (SOL) for sixth grade and above; and
- (3) Encourage local schools to establish and participate in recognition achievement clubs for students in special education.

The Board suggested that these comments and concerns should be referred to the Special Education Advisory Committee to respond to the recommendations made by the Student Advisory Committee.

Presentation by the Virginia Association of School Superintendents (VASS) Regarding the Publication Entitled *Blueprint for Virginia's Schools*

Dr. Edward L. Kelly, superintendent of Prince William County Public Schools and president of the Virginia Association of School Superintendents, presented this item.

Dr. Kelly said the seven goals with accompanying objectives adopted by the Education Coalition address a number of critical issues that have an impact on public education and professional education associations in Virginia—teacher and administrator shortages, funding disparities, student achievement, and funding and training for new technology. Dr. Kelly said the Coalition believes that meeting all of these goals is essential to providing high-quality educational programs for all students in the public schools of Virginia. Dr. Kelly presented the following goals of the Coalition:

- *Goal 1*—Instructional programming should permit all children to achieve at their highest potential.

The Coalition believes supporting these specific objectives will ensure that Virginia's students achieve at their highest potential. The Coalition supports a state plan for Virginia public schools that:

- ✓ Fully funds pre-kindergarten programs for children with established needs;
- ✓ Fully funds programs to address the needs of children performing below a satisfactory level;

- ✓ Insures a safe and secure environment where educators can work and children will learn;
 - ✓ Develops a comprehensive and challenging curriculum to meet the needs of all students; and
 - ✓ Provides educators with resources, knowledge, and skills needed for the best instructional practices.
- *Goal 2*—Virginia should have a comprehensive plan for attracting, hiring, and retaining quality teachers, administrators, and professional staff.

The Coalition believes these objectives are critical if Virginia is to attract, hire, and retain quality teachers, administrators, and professional staff. The Coalition supports a state plan for Virginia's public schools that:

- ✓ Increases salaries and benefits of teachers, administrators, and superintendents so that Virginia will be in the top 10% in the nation;
 - ✓ Provides financial incentives for students to enter the field of education and for teachers and administrators to remain in education;
 - ✓ Supports the institutions of higher education so that the number of Virginia graduates in education increases to meet personnel needs;
 - ✓ Creates professional environments that foster respect, motivation, and recognition; and
 - ✓ Provides the resources needed for comprehensive professional development programs.
- *Goal 3*—Virginia should have an accountability system that is fair and comprehensive.

The Coalition believes supporting these specific objectives will ensure an accountability system that is fair and comprehensive. The Coalition supports a state plan for Virginia's public schools that:

- ✓ Provides for the direct involvement of educators, parents, and business and community members in the development of standards;
 - ✓ Promotes policy decisions that support accountability in testing programs and additional measurements that enhance student achievement and school accreditation; and
 - ✓ Continues improvement in the accountability system to ensure fairness and comprehensiveness.
- *Goal 4*—Virginia's schools should have the funding necessary to provide all students with an equitable and quality program of instruction.

The Coalition believes supporting these specific objectives related to school funding will provide all students with an equitable and high-quality program of instruction. The Coalition supports a state plan for Virginia's public schools that:

- ✓ Closes the gap between actual cost of programs and facilities and existing state funding;
 - ✓ Expands positions and funding under the SOQ to reflect prevailing practices in school divisions;
 - ✓ Expands state and federal revenue to fully fund mandates (i.e., IDEA); and
 - ✓ Closes the disparity gap in funding between wealthy and poor school divisions.
- *Goal 5*—Levels of public education governance, from the state to the local level, should adhere to their respective roles and responsibilities.

The Coalition believes support of these objectives will ensure that state and local level education governance groups adhere to their respective roles and responsibilities. The Coalition supports a state plan for Virginia's public schools that:

- ✓ Increases awareness of roles and responsibilities of various levels of governance; and
 - ✓ Encourage respective associations to educate their members about their roles and responsibilities.
- *Goal 6*—Adequate funding should be available to meet the technological and infrastructure needs of all school divisions in the Commonwealth.

The Coalition believes support of these specific objectives will ensure adequate funding to meet technological and infrastructure needs of all school divisions. The Coalition supports a state plan for Virginia's public schools that:

- ✓ Establishes technology as a separate state-funded category;
 - ✓ Enhances the development of student competencies in the use of technology to prepare them for the work force; and
 - ✓ Provides technological resources needed for instruction of students and the efficient management of schools.
- *Goal 7*—There should be support for programs that assist families and communities to participate more fully in public education.

The Coalition believes support of these specific objectives will assist families and communities to participate more fully in public education. The Coalition supports a state plan for Virginia's public schools that:

- ✓ Establishes state-funded programs that promote family-school partnerships; and
- ✓ Promotes community-school partnerships in support of public schools.

Dr. Al Butler, executive director of VASS, closed by saying these are the goals and that everyone realizes that it will take time to meet these goals.

The Board received the report by the Virginia Association of School Superintendents and thanked both Dr. Kelly and Dr. Butler for their work and assistance.

Board of Education Consideration of Proposals Dealing with Additional Criteria for Student Graduation and School Accreditation

The following multiple criteria proposals were presented to the Board:

Senate Committee on Education and Health

Dr. Cynthia Cave, director of policy at the Department of Education, summarized the following bills for the Board:

HB 2122 (Darner)

Factors:

- Additional criteria for determination of award of a verified unit of credit.

Eligible Students:

- Students in grades six through nine in the 2000-2001 school year who pass a course but fail the relevant SOL test twice.

Method:

- The Board of Education would establish guidelines for local school boards to provide additional criteria for award of a verified unit of credit to eligible students. The guidelines must be designed to ensure consistency and fairness in the selection and use of criteria. Guidelines are exempt from the APA, except for public review and comment.

HB 2394 (Dillard)

Factors:

- SOL tests results (verified credits)
- classroom work (standard credits)
- If the student is eligible, SOL tests results on retakes in combination with end-of-course grades result in the award of verified credits, according to a formula established by the Board of Education.

Eligible Students:

- Students in grades six through nine in 2000-2001 who have retaken an SOL test and scored within the established margin of error for the test.

Method:

- The Board of Education would establish a formula allowing an eligible student to earn a verified credit based on SOL test performance on a retake in combination with the student's end-of-course grade.

HB 2831 (Reid)

Factors:

- Results on SOL tests and alternate forms of assessment and measurements of student achievement approved by the Board of Education (verified credits)
- Successful completion of classroom work, requirements, and tests, and teacher evaluations (standard credits)
- For eligible students, additional criteria for determination of award of a verified unit of credit (enactment clause)

Eligible Students:

- For eligible students, additional criteria for determination of award of a verified unit of credit, students in grades six through nine in the 2000-2001 school year (enactment clause)

Method:

- Standard units of credit shall comprise at least seventy percent of the combined required credits, and verified units shall comprise no more than thirty percent.
- The Board of Education would establish guidelines for local school boards to provide additional criteria for award of a verified unit of credit to eligible students. The guidelines must be designed to ensure consistency and fairness in the selection and use of criteria.
- Guidelines are exempt from the APA, except for public review and comment.

HB 2163 (Jackson)

Factors:

- SOL test results, excluding alternative education
- SOL test score improvement
- Student attendance rates
- High Schools:
 - ✓ Students dropout rate (not counting transfers, students in GED programs, and students who receive industry certification or professional licensure)
- Middle Schools:
 - ✓ Student dropout rates (excluding verified transfers)
- Elementary Schools:
 - ✓ The number of students retained for more than a year in grades two through five
- Alternative Education and full-day programs for at-risk students:
 - ✓ Would be evaluated according to appropriate Board of Education standards, at the request of the relevant school board
- Additional credit for:
 - ✓ Disparity in aggregated SOL test scores between majority and minority students of 10 point or fewer
 - ✓ Percentage of teachers assigned to positions for which they have endorsements

- ✓ In elementary schools, percentage of students scoring above fiftieth percentile on Stanford 9 tests

Method:

- Board assigns weight to each criterion to obtain a numerical rating for determining accreditation status; SOL tests count for no more than three quarters of a school rating for accreditation purposes until July 1, 2003, when they may account for no more than one-half of a school's rating.
- Regulations necessary to implement the bill shall be exempt from the APA, except for public review and comment. (enactment clause)

Accountability Advisory Committee

Dr. Mark A. Edwards, superintendent of Henrico County Public Schools and co-chair of the Accountability Advisory Committee, and Dr. Billy K. Cannaday, Jr., superintendent of Chesterfield County Public Schools and chair of the subcommittee to review the issue of multiple criteria as it relates to the requirements of the Standards of Learning Assessment Program, presented this item.

Dr. Cannaday said the subcommittee was charged with recommending to the full committee the definition of multiple criteria and the degree to which the criteria seem to be expansive or responsive enough. Dr. Cannaday said that multiple criteria are in place currently; however, the subcommittee's position is that these criteria do not appear to be expansive or responsive enough. The subcommittee members agree that external validation of student achievement is important and necessary for the accountability program to be effective.

Dr. Cannaday said the subcommittee supports division certification of effort to respond to the transition years. The transition years referenced by the subcommittee is defined to mean first-time ninth graders in 2000-2001; 01-02; and 02-03. This group of students did not have prior SOL exposure in elementary, middle, and high school. Dr. Cannaday said the subcommittee members feel that there should be a division effort and student effort. Dr. Cannaday presented the following recommendations:

Division Effort: The school division has provided the necessary opportunities to learn, as follows:

- Certifies alignment of the curriculum to the Standards of Learning in tested areas.
- Certifies that opportunities for appropriate remediation will be available.
- Certifies documents that opportunity to retest were made available
- Certifies documents that students and parents were notified of the students' need to and the school's provision for remediation and retesting.

Student Effort: The student has made the necessary personal efforts to be successful in class and on assessments to attain a score within the latitude defined as follows:

- The student attends class regularly or can document exceptional circumstances as defined and documented by the school division.
- The student has taken advantage of opportunities for remediation made available by the school as defined and documented by the local school division.
- If the student passed requisite courses for graduation, but failed the SOL test, the student must score between 375 to 399 on the retest.

Position of the Virginia Education Coalition Regarding Additional Criteria:

Mrs. Jean Bankos, president of the VEA, outlined the Coalition's recommendations, as follows:

School Accreditation:

- The Board of Education should develop a mechanism to give all K-12 schools (not only high schools) accreditation ratings credit for success on other tests, such as Stanford 9, SOL and other computer (5th and 8th) technology exams, Advanced Placement, IB, SAT-2, CLEP, TOEFL, and vocational licensing exams.

Student Graduation Requirements:

- The Board of Education should set up an appeal mechanism, administered by the local school division, for students who fail an SOL test needed for verified credit, but who (a) score at least 375 on the scale score (400 is passing, so 375 is the lowest limit of the standard deviation) and (b) have received a passing grade in the course based on coursework. The appeal process would be handled locally, subject to guidelines established by the State Board of Education.
- The Coalition has discussed in detail the suggestions to develop an essay or project for use in the local appeal process. Proposed essay questions and projects would be developed statewide by teams of educators working through the Board, but administered locally as part of the appeal process referred to in the previous bullet. The purpose would be to let students have another opportunity to demonstrate knowledge of the course content and enable educators administering the local appeal to have more than just course grades to analyze in deciding whether to grant the verified unit. This proposal is important because it would address the criticism that giving a student who failed the SOL test a verified unit based solely on the teacher's course grade alone is just going back to the status quo of social promotion and grade inflation.

Following the presentations of the various options that have been suggested by the AAC and the Education Coalition, Mr. Schroder opened the floor for discussion. Mr. Christie made a motion for the Board to oppose any legislation that changes the school accreditation formula. Mr. Goodman seconded the motion for purpose of discussion. After discussion, the motion carried unanimously.

After an extensive discussion, Mr. Schroder requested the Accountability Advisory Committee to submit written recommendations for additional criteria a week prior to the Board's January 7, 2002, meeting. Dr. Jones, co-chair of the AAC, indicated that he would bring this matter to the AAC immediately and will have recommendations prior to the Board's meeting on January 7, 2002.

Final Review of Cut Scores for the Standards of Learning Tests

This report was presented by Shelley Loving-Ryder, assistant superintendent for assessment and reporting at the Department of Education. At the June 2001 meeting of the Board of Education, the board directed the Department of Education staff to recommend by fall 2001 a process for reviewing the cut scores on the Standards of Learning (SOL) tests and determining if adjustments are warranted.

The Department of Education recommended that the Board of Education adopt the following policies:

- (1) That the adjusted cut scores for each of the SOL history tests shall be as listed in the table below:

History Test	Proposed Cut Score
Grade 5	25
Grade 8	28
World History from 1000 A.D./Geography (World History II)	32
United States History	34

- (2) That the adjusted cut-scores apply only to the tests developed for the 2001-02 and 2002-03 school years; and
- (3) That similar reviews of the cut scores for the SOL tests be conducted annually by department staff and be presented to the Board no later than the November meeting of each year.

Mr. Goodman made a motion to adopt the recommendations specified above. Mrs. Genovese seconded the motion and carried unanimously.

**Presentation by Representatives of the Joint Legislative Audit and Review Commission
Regarding the Standards of Quality**

The Joint Legislative Audit and Review Commission (JLARC) staff members consist of the following individuals: Bob Rotz, division chief; Kimberly Maluski; Christine Wolfe; Ashley Colvin; and Dr. Greg Rest, staff methodologist.

Mr. Rotz presented the report to the Board. His presentation outline consisted of the following: (1) Introduction and Summary of Findings; (2) Background; (3) SOQ Requirements and the Funding of SOQ Costs (Tier One), (4) Funding Options to Enhance State Support for Education (Tiers Two and Three); (5) and Framework for Determining State and Local Cost Responsibilities.

Mr. Rotz said that Virginia's Standards of Quality (SOQ) provide an important foundation for the State's role in funding elementary and secondary education. The SOQ are minimum requirements for school divisions to provide a program of high quality for public elementary and secondary education.

Mr. Rotz said that the General Assembly's constitutional responsibilities regarding public schools are to provide for a system of free public elementary and secondary schools for all children and seek to ensure that an educational program of high quality is established and continually maintained; to determine the manner in which funds are to be provided for the cost of maintaining an educational program meeting the prescribed Standards of quality; and to provide for the apportionment of the cost of such program between the Commonwealth and the local units of government.

Mr. Rotz presented an overview of the funding components. He noted that State and local funding for elementary and secondary education supports SOQ operating costs (costs for the State's foundation program); non-SOQ operating costs; and capital facility costs. He added that the State provides more than half of SOQ funding. Localities provide the majority of non-SOQ operational funding and capital facility costs, and non-SOQ funds are provided to fund objectives that exceed the requirements of the SOQ.

Mr. Rotz explained how the JLARC report was organized. He explained that Tier One is the estimate for meeting SOQ costs, using costs estimation principals that are considered to be most accurate for use over the long term. It is compatible with State standards, and prevailing division practices where standards are not quantified. Tier Two includes enhanced instructional staffing practices and at-risk pre-school funding. Tier Three includes enhanced State support of capital costs based on a per-pupil cost for debt service, and enhanced teacher salaries, including costs of moving toward the national average teacher salary.

Mr. Rotz reported that the report found that there are some valid reasons for local concern about education funding issues. Some of these factors include the increased number of pupils since FY85; increased school facility costs; relative stagnancy in estimated true value of real property; state car tax relief based on 1997 tax rates and

policies; resource needs related to Standards of Learning (SOL); He added that State funding, in constant dollars per-pupil was down during the 1990's from the FY90 level, and did not recover until FY98. Funding showed a brief growth trend beginning in FY99, with the onset of Lottery and school construction grants programs. He added that funding may begin to trend downward again due to State fiscal difficulties. He also noted that in FY00, local funding for non-SOQ purposes exceeded local funding for SOQ purposes.

The JLARC report further states that reasons for the size of locality operating costs expenditures being above the SOQ include the following:

- Staffing: State standards for instructional staff recognize fewer positions than are provided by most school divisions
- Cost Estimation Changes: a number of changes in the State's cost estimation approach made during the 1990's dampen SOQ costs
- Salaries: some large school divisions, employing a majority of teachers, pay average teacher salary levels above the typical level across school divisions, and thereby incur substantial non-SOQ salary costs.

JLARC's analysis found that DOE staff's preliminary estimates are that SOQ cost payments, stemming from routine updates of the SOQ cost model, will cost the State about \$377 million in the upcoming biennium. Based on recent data corrections, JLARC staff's current figure for the impact of routine updates to SOQ costs for the biennium is about \$389 million. As a part of the study, Mr. Rotz reported that the JLARC staff sought a more realistic estimate of costs. As mentioned, the cost for routine re-basing of the SOQ cost model is projected at \$389 million, and the JLARC staff proposed adjustments in estimating current SOQ cost to be +\$671 million. The study provides additional options for the General Assembly's consideration to enhance State support for public education. These options address the following:

- State recognition of elementary resource teachers and the secondary planning period requirement in cost calculations
- State recognition of higher instructional staffing levels (for example, in order to provide smaller class sizes), as provided by most school divisions
- State funding of at-risk pre-school programs
- State support for capital facility purposes
- Teacher salaries, including movement toward the national average salary

The JLARC report also includes an analysis of the pressures upon local governments in funding education. Mr. Rotz stated that many local governments have long argued that the State is not a full partner in funding elementary and secondary education, pointing to differences between the expenditures that are made, and what the

State recognizes in its standards and funding. The State's perspective generally has been that its primary obligation is to fund the State-required SOQ, not help defray the costs of all local expenditures decisions. Mr. Rotz reported that several trends, however, have increased the pressure faced by local governments in education fund. These trends include the rising number of pupils in the public schools since FY85; school facility costs reached higher levels, beginning in FY86; growth in local real property tax base was relatively slow in 1990's; State policies with potential locality fiscal impacts; and school division revenues from State-appropriated funds, in constant FY00 dollars per pupil

SOQ Requirements and the Funding of SOQ Costs (Tier One)

Mr. Rotz summarized the constitutional expectations for the SOQ are that the SOQ framework attempts to promote State and local government accountability for ensuring adequate minimum standards and resources for public education and that Board of Education is to prescribe standards (subject only to revision by the General Assembly). Mr. Rotz added that the General Assembly is to determine manner in which funds are to be provided for the cost of maintaining an educational program meeting the SOQ, and to apportion that cost between State and localities. Further, each unit of local government shall provide its portion of such cost by local taxes or from other available funds.

Mr. Rotz reported that the Board of Education is charged with prescribing SOQ. He noted that the Report to the Commission on the Constitutional Revision (January, 1969) included the following points:

- "The language of high quality is intended to convey the idea of a progressively higher statewide standard, achievable under present conditions, but to be advanced as circumstances and resources permit."
- "Therefore, standards of quality are to be established by the State Board of Education, the governmental agency most familiar with the needs of the public school system, subject to revision on by the General Assembly, which because of its fiscal responsibility for meeting the standards, must have ultimate control of them."

The JLARC report states that the Board of Education needs to periodically review the standards of quality to keep the SOQ current with prevailing practice. The basic standards have changed little since the 1980's, and are exceeded in most areas by current school division practices. The current Board of Education, during the fall of 2001, has acknowledged that it has been relatively inactive with regard to re-examining SOQ requirements over the last decade or so.

The JLARC report also states that the Board of Education needs to make annual reports on condition and needs of public education. The JLARC report states that Board of Education has not consistently produced reports during the 1990's with a focus on assessing the conditions and needs of education. The report also found that the Board of Education needs to develop staffing standards for technology positions and noted that Section 22.1-253.13:3 of the *Code of Virginia* requires the Board of Education to

promulgate regulations with requirements and guidelines for the integration of educational technology into such instructional programs, administrative and instructional staffing levels and positions, including staff positions supporting educational technology. As of October 2001, the Board of Education had not promulgated such regulations, and DOE staff indicates that staffing standards are not yet developed.

Mr. Rotz noted that the Board of Education has indicated its plans to be more active in SOQ issues. The Board is considering a proposed amendment to its bylaws that would require the Board to “conduct a review of the Standards of Quality from time to time, but no less than once every two years”. Such an amendment could be a positive step. The Board also has recently begun to plan the development of the next annual report on the status of public education.

The recommendations of the JLARC report include the following:

1. The Board of Education should review the adequacy of current quantified standards pertaining to resource needs, and recommend advances in those standards to the General Assembly, as appropriate relative to current education conditions.
2. The Board of Education should address the issue of resource needs for the public school system in its constitutionally and statutorily-required annual report on the “condition and needs” of public education
3. Pursuant to ' 22.1-253.13:3 of the *Code of Virginia*, the Board of Education should promulgate regulations regarding the integration of education technology into instructional programs and setting guidelines for staffing positions supporting educational technology.

State's Estimation of SOQ Costs:

Mr. Rotz continued his presentation by stating that the SOQ should be realistic in relation to current, prevailing cost. He pointed out that the legislative determination of cost may not be based upon arbitrary estimates with no reasonable relationship to the actual expense (Virginia's Attorney General's opinion, February 1983). In estimating the cost of implementing the Standards, the General Assembly must take into account the actual cost of education, rather than developing cost estimates based on arbitrary figures bearing no relationship to the actual expense of education prevailing in the Commonwealth (Virginia's Attorney General's opinion, February 1973). The following guidelines are implicit in the Constitution: (1) the Standards of Quality must be realistic in relation to current education practice; and (2) the estimate of the cost of the Standards of Quality must be realistic in relation to current costs for education. (From the first and second reports of the Task Force on Financing the Standards of Quality, December 1972 and July 1973).

Mr. Rotz stated that one way to promote the historical objectives in determining SOQ costs is to use a methodology with cost estimation principles that are known, reliable, and independent of factors that are unrelated to the expense of education, such as

the short-term availability of funds. Approaches to estimate SOQ costs have included the following:

- Instructional positions: Focused on division-wide Appropriation Act requirements.
- Teacher salary base: Statewide average (total salary compensation divided by total number of teachers).
- Support: Comprehensive inclusion of positions; statewide average per-pupil cost.
- Teacher salary increases: DOE projected salary costs forward using percentage increases needed to achieve or maintain teacher salary goals. Full year salary increases.
- Inflation: Used to move costs from base year to current year, and to project costs forward for each year of new biennium.
- JLARC staff methodology (1986 and 1988 Sessions). In 1985, the General Assembly requested that JLARC staff examine the costs of the SOQ. JLARC staff developed a cost methodology, which had some similarities, but also differences, from the former Task Force/DOE approach.

The more recent approach uses JLARC staff methodology but with some important deviations, as follows:

- Instructional positions: Used all standards to determine instructional position needs above 57 per 1,000 where required.
- Teacher salary base: Calculated using actual division-by-division average salaries, with an estimate of the typical division salary level using the linear weighted average.
- Support costs: Comprehensive inclusion of positions; linear weighted average costs.
- Teacher salary increases: Projected forward based on percentages needed to achieve or maintain teacher salary goals. Full year salary increases.

Mr. Rotz summarized the JLARC recommendations regarding State's estimation of SOQ costs as follows:

1. To fully calculate SOQ costs and improve the accuracy of Basic Aid cost calculations, the State should discontinue the practice of deducting locally generated revenues from the cost figures that are used in determining total SOQ costs and State and local share responsibility.
2. The General Assembly may wish to provide sufficient funding in FY 2003 and FY 2004 to provide a State share of 55 percent of the costs of funding the SOQ as estimated using adjustments described in the JLARC staff report, and therefore provide for a State share based upon the anticipated prevailing costs in those fiscal years.

3. The General Assembly may wish to direct that the Department of Education estimate SOQ costs based on principles consistent with producing a current, prevailing cost. This cost estimate should be distinguished, as needed, from adjustments departing from prevailing costs that may be made year-to-year to produce the State budget.

Administrative and Oversight of SOQ Funding

Mr. Rotz discussed this section of the JLARC report. He noted that problems exist with the Special Education child count used in SOQ funding. The data may not be accurate for all school divisions, and the data for some localities shows unusually high proportions of self-contained pupils, which can lead to over-estimation of costs. The State needs to ensure that all localities are consistently funding the SOQ. He added that the Constitution of Virginia requires that “each unit of local government shall provide its portion of [SOQ costs] by local taxes or from other available funds” and that Appropriation Act language for 27 years has required that calculations be performed “in order to determine if a school division has met its required local expenditure for the Standards of Quality.” The language has not specified who is to perform the calculation. DOE staff monitoring procedure asks for local budgeted amounts in the fall, but does not review actual expenditures. Mr. Rotz noted that JLARC staff review of FY00 expenditures provides at least a preliminary indication that three localities may not have met their required local share in that year.

JLARC recommendations regarding administration and oversight of the SOQ include the following:

1. The Department of Education needs to review and make corrections as appropriate to the special education child count data that are currently being used in the SOQ funding model. In the future, DOE staff needs to develop checking procedures to better ensure the reliability of these data.
2. If substantial discrepancies remain for any school divisions after correcting special education pupil count data, the Department of Education should conduct a review of special education staffing in divisions with fewer total FTE instructional positions, and fewer FTE teachers, than are calculated by the SOQ funding model. DOE may need to assess whether there are any problems with the sufficiency of local staffing levels relative to SOQ requirements, or whether there are any assumptions of the model that appear to be producing an over-estimate.
3. The General Assembly may wish to consider expanding upon Appropriation Act language to explicitly provide that the Department of Education is to perform calculations annually to determine if required local expenditures for the SOQ have been met.
4. The Governor and the General Assembly may wish to end the requirement for a proportional reduction in Basic Operation Costs for the SOQ if the statewide number of pupils exceeds estimated ADM.

5. The Department of Education should make additional improvements to its instructions to the Annual School Report, to better ensure the consistency of data.
6. The General Assembly may wish to request that the State Board of Education and the Auditor of Public Accounts work together to examine the issue of expenditures that are made by local governments that are funded from parts of the locality budget other than education, yet have the same purpose as expenditures commonly reported on the Annual School Report.
7. The Department of Education should improve the documentation and accessibility of the Oracle-based SOQ cost model.
8. The General Assembly may wish to require that the Department of Education fully update and execute the SOQ cost model on the annual basis.

Tier Two: Instructional Positions and Pre-School: Funding Options to Enhance State Support for Education

JLARC recommendations in this area include:

1. The General Assembly may wish to consider funding a State share of the cost of the prevailing levels of elementary resource teachers in the school divisions, and/or a 21-to-one pupil-teacher ratio at the secondary school level (to fund an average class size of 25 to one, with a teacher planning period).
2. The Board of Education should examine the Standard of Accreditation provisions for assistant principals and the current sufficiency of the requirement for just half-time principals at elementary schools with enrollments below 300 pupils.
3. The General Assembly may wish to consider funding the Virginia Pre-School Initiative Program by using an updated per-pupil amount.
4. The General Assembly may wish to consider expanding the Virginia Pre-School Initiative Program to provide a State share of the grant amount for up to 100 percent of the “unserved” at-risk four-year-olds in localities eligible for the program.
5. The General Assembly may wish to consider funding a State share of pre-school programs in the school divisions that established their programs prior to the start of the State’s Pre-School Initiative Program, enabling those divisions to use Federal Title I and other funds for other programs, as currently participating school divisions can.

Tier Three: Debt Service and Enhanced Teacher Salaries

JLARC recommendations in this area include:

1. The General Assembly may wish to continue the approach of minimizing the extent to which Literary Funds are used for non-construction purposes. In addition, the General Assembly may wish to consider ending the practice of transferring funds from the Literary Fund to the General Fund for the School Construction Grants Program.
2. The Governor and the General Assembly may wish to create a Task Force to examine the issue of an appropriate teacher salary goal for the Commonwealth of Virginia, to assist in determining whether and how much a salary increase should be provided in the future, beyond those sufficient to fund anticipated prevailing school division salaries.
3. The General Assembly may wish to consider establishing, in future Appropriation Acts, the teacher salary goal that it wishes for the State to pursue, beyond keeping salaries current with the prevailing salary levels that can be anticipated in the years to be funded

Framework for Determining State and Local Cost Responsibilities

JLARC recommendations in this area include:

1. The General Assembly may wish to ensure that the great majority of State funding for education continues to be distributed using a local ability to pay measure to determine State and local shares of public education funding.
2. The General Assembly may wish to consider adjusting the current composite index to: (1) provide a population density adjustment, (2) update the relative weights that are given to the real property, sales tax, and other revenue components, and (3) use a composite index that takes median adjusted gross income into account for localities with skewed income distributions. In addition, if the State continues to pay the local personal property tax, the General Assembly may wish to consider in the future how the composite index could be improved to better address this aspect of local ability to pay.

Following the presentation, the Board members asked questions and discussed several items of concern. Mr. Schroder thanked Mr. Rotz for his presentation. The Board received the report of the Joint Legislative Audit and Review Commission Regarding the Standards of Quality.

First Review of Resolution Establishing the Standards of Quality (SOQ) Standing Subcommittee of the Board of Education

Mrs. Atkinson presented a proposal that would establish a Standards of Quality Standing Committee of the Board of Education. The role of the committee would be to determine information to be reviewed to determine the condition and needs of public education; determine the process to be used to complete this comprehensive review; establish a time line that anticipates a report to the full Board followed by a review and revision of the Standards of Quality, if appropriate; and develop the format to be utilized for the annual report. The motion was seconded by Mrs. Genovese and carried unanimously.

Mrs. Atkinson made a motion to adopt the resolution establishing the Standards of Quality standing subcommittee. The motion was seconded by Dr. Jones and carried unanimously.

The resolution reads as follows:

Establishing the Standards of Quality Standing Committee

Whereas, Article VIII, Section 2, Constitution of Virginia, states in part,

"Standards of quality for the several school divisions shall be determined and prescribed from time to time by the Board of Education, subject to revision only by the General Assembly."

Whereas, the Standards of Quality prescribe broad policies to ensure that each public school in the Commonwealth is a school of quality and that each child in the Commonwealth has access to a school that will offer a quality education.

Whereas, the Virginia Constitution, requires that the Board of Education make annual reports to the Governor and the General Assembly concerning the condition and needs of public education in the Commonwealth.

Whereas, the Board of Education is to identify in that annual report, any school divisions, as well as the specific schools which have failed to establish and maintain schools meeting the prescribed standards of quality.

Whereas, the Board may determine based on the evaluation of the condition and needs of public education performed for the annual report, that revisions to the Standards of Quality are necessary.

Whereas, the annual report must, in any year in which the Board is proposing amendments to the Standards of Quality, contain the standards prescribed by the Board.

Whereas, the Board of Education should have in place a process for carrying out its constitutional responsibility of completing the analysis of the condition and needs of public education and then utilize that analysis to form the basis of determining whether a review of the Standards of Quality, with the intent to revise, is necessary.

Now, Therefore, Be It Resolved that a Standing Committee comprised solely of members of the Board of Education, to be called the Standards of Quality Standing Committee is established and the Committee is charged with determining the information to be reviewed to determine the condition and needs of public

education; determining the process to be used to complete this comprehensive review; establishing a time line that anticipates a report to the full Board followed by a review and revision of the Standards of Quality, if appropriate; and developing the format to be utilized for the annual report.

Be It Further Resolved that The President of the Board of Education shall appoint the members of the Board of Education to serve on the Standards of Quality Standing Committee.

Adopted in Richmond, Virginia, this Twenty-seventh Day of November in the Year 2001.

The following Board members volunteered to serve on the standing committee: Mrs. Genovese, Dr. Jones, Mr. Goodman, Mrs. Atkinson, and Mr. Schroder.

Mr. Schroder requested Dr. Margaret Roberts, executive assistant for the Board of Education, to make arrangements for a December meeting, in order for the Board to respond to the JLARC report on the Standards of Quality issue.

Report from the Board of Education's Technical Advisory Committee on Consequential Validity

In 2000 the Technical Advisory Committee (TAC) recommended in its report to the Board of Education that a consequential validity study might be a useful tool for the Board's consideration in the implementation of the Standards of Learning Assessment Program. The Board's Accountability Advisory Committee (AAC) was then asked to consider this proposal and to bring a recommendation to the Board for review. At the Board's September 26, 2001, meeting, Dr. Gary Jones, co-chair of the AAC and member of the Board, brought forth a recommendation from the AAC that a consequential validity study be conducted on a timeline that would allow results to be made available to the schools and the public by September 2002. At this meeting the Board made it clear that it would not act on the AAC's recommendation prior to receiving input and recommendations from the Technical Advisory Committee.

Dr. Ronald Hambleton, chair of the TAC, and faculty member at the University of Massachusetts at Amherst, presented this item. Dr. Hambleton began his presentation by introducing the following members of the TAC: Linda Crocker, University of Florida; Keith Cruse, Texas Education Agency; Barbara Dodd, University of Texas, Austin; Barbara Plake, University of Nebraska, Lincoln; and John Poggio, University of Kansas.

Dr. Hambleton said that in an earlier report to the Virginia Board of Education (November 2000), the TAC offered a review of the technical strengths and weaknesses of the Virginia Standards of Learning (SOL) Program, and offered several recommendations. One of those recommendations concerned the desirability of initiating studies to assess the influence or effectiveness of the SOL Program. In this report, the intent was to offer more specific recommendations on the details of such studies, with an emphasis on those studies that might be initiated relatively quickly and provide useful information for the Virginia Board of Education and the Department of Education to consider as they move toward full and effective implementation of their educational reform initiative.

In this report, the TAC identified the stakeholders in the Virginia SOL Program, and then for each, drafted a set of questions that might be appropriate to answer in the coming years. Some of the questions are more important to answer than others, and some lend themselves to investigation this year, and others may take years to fully investigate. Answers from the studies might be expected to provide information that will be useful in continuing to modify and to improve the SOL Program so that it can achieve its intended purposes. For example, a survey of teachers in the state might determine that the current standards are ambiguous in their intent in some content areas. Such information obtained from a teacher survey could be addressed with a teacher committee convened to provide the necessary detail.

The TAC identified seven overlapping groups of stakeholders for the Virginia SOL Program: Students, Teachers, Schools, Parents, The Public, Policy-Makers, and the Business Community. The TAC generated a set of questions that it expected each stakeholder group would ask. The questions were influenced by the prior work of the Accountability Advisory Committee.

Dr. Hambleton said that his report is divided into five sections. First, efforts to generate meaningful questions for each stakeholder group were presented. These questions are intended to stimulate discussion and influence the final choice of questions that are pursued by the Board of Education and Department of Education. Sections two, three, and four, provide brief outlines of three studies that could be initiated immediately by the Board of Education. For each proposed study the TAC offered a purpose and rationale, design, and described the importance of the study. Following is Dr. Hambleton's presentation.

Questions to Identify Program Effectiveness

Students

1. What have been the achievement results over the last four years? That is, by subject and by grade, how well are students doing over the last four years on the SOL tests? What are the results for gender and ethnic groups? How about the performance of special education students and English Second-Language students? [Average scores, percent of students being judged as proficient and advanced, etc.]
2. Are students showing improvements on performance measures other than the SOL tests? [Possibilities include SAT, ACT, NAEP, standardized achievement tests, numbers of students taking AP courses, AP results themselves, etc.]
3. What percentage of failing students in English language arts and mathematics are being remediated? How successful are the remediation initiatives? (That is, what percentage of those students initially failing are succeeding at a later time on the SOL tests.) What might have happened to these failing students, had the SOL Program not been in place? What is happening with LEP and special education students?
4. What is the available evidence relating to school attendance? What is the average daily attendance over the last five years? What percentage of students are taking the SOL tests? What do the school drop-out rates show over the last five years? Also, is there any indication of the reasons for drop-outs taking a job, going to a private school, belief that the SOL tests are a block to graduation, etc.? Are schools setting local policies about school attendance?

5. Is there evidence that the students in tested grades are carrying over achievement into subsequent grades?
6. What is the evidence of the testing program on students? What do students think about the SOL tests? Are they more anxious about school because of the tests? Does the SOL program affect student selection of courses at the high school level?

The TAC's view here is that the first four questions could be answered immediately with existing data. A study to address questions 5 and 6 might follow next year.

Teachers

1. SOL tests are administered at three grades in the elementary and middle school and selected courses at the high school level. How is this design of test administration affecting teachers? For example, is it lowering morale among teachers immediately affected (e.g., grades 3, 5, and 8) and the teachers of courses that students must pass for graduation? Is it affecting attrition rates?
2. To what extent have the teacher preparation programs around the state revised their training to be consistent with expectations for teachers in Virginia?
3. How has staff training been influenced by the SOL? [Is there more staff development, or less, and are different topics addressed today than (say) five years ago?]
4. Are teachers feeling more or less of a commitment to teaching in general because of SOL?
5. In what ways are teachers using the test results to improve their instructional practices? What are their views about the utility the test result reports? Could the formats of reporting results be improved to enhance their usefulness?
6. Is there evidence of teacher commitment to the SOL? What percentage of teachers are following the SOLs? What are their views about them? What general as well as specific suggestions after four years do they have for improving the SOLs?
7. Is there evidence of impact of the SOL and test results on a teachers=curriculum? [For example, is there an expanded focus on lower level skills, higher level skills, less writing because of the multiple-choice item format of the tests?]

All but one of the questions appear to fall into two categories—those relating to teacher opinions about the schools, SOL, etc. (questions 1, 3, and 4) and those relating to instructional practices (questions 5, 6, and 7). Research on both seems especially important.

Schools

1. What is the evidence that school practices can be linked to gains (or declines) on the SOL? [For example, among schools in the past with similar demographics and test results, where some schools may now be showing changes in test results, are their reasons that can be linked to SOL?]
2. How many schools fail to achieve full accreditation on the basis of their performance on one test?
3. What evidence is there (besides the SOL test results) that instruction has improved in Virginia?
4. How is school instructional and administrative leadership being influenced by the SOL? What are the positive as well as the negative influences?
5. Are schools attracting partnerships with the community because of the presence of the SOL?

Parents

1. Do parents understand the student reports they are receiving? Is SOL helping parents understand better what the schools are trying to accomplish as compared to the previous educational program?
2. Has SOL had an influence on the expectations parents have for children in the Virginia schools? Are the expectations higher?
3. How has SOL influenced parental involvement in their children's schools? [Is it more or less involvement, and how has the nature of that involvement been influenced by SOL?]
4. Has parental interest and quality of information received about SOL been influenced by the various web-sites that now exist to provide information of one kind or another about the SOL?
5. How is the SOL and test results influencing parents' impressions of the schools?
6. What special requests have been made of schools and the department to provide extra services related to SOL?

The TAC feels that the questions in this category might be addressed with a survey sent to a representative sample of parents in the state. Focus groups, too, might be established to provide in-depth information regarding the five questions and related ones below in the public category.

The Public

1. What is the level of confidence the public has in Virginia schools?
2. What is the public's opinion about students, teachers, and administrators in Virginia schools?
3. What is the public's level of awareness about schools since the SOL testing was initiated?
4. What is the public's level of awareness of SOL?
5. What is the public's opinion about the influence of the SOL Program on learning, instruction, and achievement?

Policy Makers

1. Do educational policy-makers feel that the test results are influencing their views about current educational policies?
2. Where is there evidence that SOL results are being used to influence educational policy?

Business Community

1. Has the level of involvement of the business community been affected by the SOL? [In what ways has this involvement occurred?]
2. What does the business community think about the changes taking place in education in Virginia?
3. What is the evidence that the business community is entering into partnerships with the schools?
4. Have the SOL requirements increased confidence among the business community about the schools and high school graduates?

5. Are businesses as likely to set up remediation programs for their employees?

Other Questions (that don't easily fit the seven stakeholder categories)

1. What is the statistical evidence concerning the later window for students taking the SOL tests? [Are scores increasing? And what are the test security problems created by these windows of testing opportunities?]
2. Is there any evidence that the five-week window for test administration is giving unfair advantage to schools testing later because of security breaches?

Proposed Study 1: Effects on Instructional Practices: Purpose and Rationale

Dr. Hambleton reported that critics of statewide, high stakes testing programs often contend that teachers narrow the curriculum to focus only on content covered by the assessment or adopt less-than-optimal instructional practices that decrease student motivation, creativity, or problem-solving activities. Yet another concern is that wide variation among teachers' attention to the state-developed curriculum may result in inequity in students' opportunities to learn the material on which they are to be tested. Any comprehensive investigation of the impact of statewide assessment should address such concerns. Such an investigation would involve collecting data directly from teachers about (a) their classroom instructional practices in relation to preparation for the assessment, and (b) their use of the assessment results to inform their teaching. The following types of questions (edited versions of several of the questions from the teacher category appearing earlier) should be addressed:

1. To what extent do teachers attend to the SOLs in forming lesson plans, selecting instructional materials, allotting class-time, developing in class and homework assignments and evaluating student performance?
2. How have teachers made decisions about emphasizing or de-emphasizing certain topics within their standards? What topics, skills, and activities have been emphasized more, or what, less? Do they now cover more material—or less?
3. How has the test format affected teachers' instructional and assessment practices?
4. To what extent do teachers use results from one year to make adaptations to their instruction for the next year?
5. To what extent do teachers in non-tested grades adapt their instruction to coordinate with expectations for their students at the next grade levels?
6. What are the characteristics of teachers who report greatest levels of instructional adaptation?
7. To what extent do teachers believe that their adaptive practices have assisted, or hindered, student learning overall?

Design

Dr. Hambleton suggested that this investigation should be conducted according to a plan such as follows:

1. Review current literature (and other state assessment program reports) to identify existing survey instruments and items that are relevant;
2. Begin design of survey instrument by assembling selected representative teachers to participate in focus groups discussing the types of questions above;
3. From the literature review and content analysis of the focus groups' discussions, develop a preliminary survey form with open-ended responses;
4. Administer the open-ended survey form to representative samples of 100 teachers at tested elementary and middle grade levels and 50 to 75 teachers at selected secondary subjects. (If possible, pay these respondents an honorarium for participation to ensure complete responses in a timely fashion.)

5. From content analyses of the open-ended survey results, develop a relatively comprehensive set of structured survey items appropriate for large-sample administration.
6. Administer the structured instructional practices survey using a matrix sampling design, in which no single teacher is asked to respond to more than 10 items. Sample sizes should be chosen to ensure a minimum of 300 responses per item at each tested graded level or selected secondary subject area.

Results of this study potentially could be used to identify needs for professional development and teacher education, revise the state standards as embodied in the SOLs, and provide some evidence for instructional validity of the assessment as well as providing information about intended and unintended impact of the assessment program on instruction.

Proposed Study 2: Impact of the SOL Assessment Program on Teachers' Morale

Purpose and Rationale

This study is designed to address the impact of the SOL assessment program on Virginia teachers. The quality of education is in part dependent on the enthusiasm and morale of teachers. Statewide student testing programs in other states have shown a variety of effects on teacher morale. This study will address morale of teachers whose grade level students are involved in the testing program as well as teachers from grades not directly involved in the testing program. Effects for teachers in a variety of settings, both urban and rural and both high and low SES, will be studied.

Design

A representative sample of teachers in Virginia public schools will be sent surveys seeking their responses to a series of questions. These questions will be derived from a review of the literature and from a series of focus groups with teachers representing grades with and without SOL tests, from urban and rural settings, and from high and low SES groups. Some of the areas queried in the survey will be:

1. Whether they feel advantaged or disadvantaged by the responsibilities of the SOL assessment program.
2. Whether they would be more or less positive about the possibility of teaching at a grade level directly related to the SOL assessment program.
3. Whether they are more or less enthusiastic about teaching due to the SOL assessment program.
4. Whether or not they would feel relieved if they were teaching a grade level that was not directly responsible for student performance in the SOL program.
5. Whether they feel they work more or less closely with other teachers at and across grade levels due to the SOL assessment program.
6. Whether they feel their commitment to teaching has been influenced by the SOL assessment program.
7. Whether or not they feel the level of shared responsibility with other teachers in their school for student achievement due to the SOL assessment program.
8. Whether or not they are more likely to remain in the Virginia education system due to the SOL assessment program.
9. Whether they feel they receive adequate support for the SOL assessment program from their school administrators and the state.

The quality of students' instructional experiences is related in part to the enthusiasm, preparedness, and morale of their teachers. It is important to understand how the SOL assessment program is affecting teachers both in the grades that are directly affected by the assessment program and those grades not directly affected. This study will provide some information on these issues and provide policy makers with information they can use to examine the impact of the SOL assessment program on quality of education in Virginia schools.

Dr. Hambleton concluded his report by pointing out that the educational reform initiative in any state takes considerable time to fully implement, and Virginia is only moving into its fifth year under SOL. However, five years should be a sufficient amount of time for the impact of SOL to be noticeable on students, teachers, parents, etc. While other studies carried out to date have addressed the technical quality of the test scores themselves, at this time, we are recommending a series of studies be initiated as soon as possible to determine the impact of the SOL on students, teachers, and parents, and that other studies be initiated as resources permit. Results on impact will be valuable in their own right, and provide valuable information for policy-makers and educators for making midcourse adjustments in the scope and direction of the SOL Program.

At the conclusion of Dr. Hambleton's presentation, Mr. Schroder asked the Board to come to an agreement and act right away on Study One. Mr. Schroder noted that a study of teachers was conducted two years ago with 30,000 out of a total of 80,000, teachers responding to a survey of resource needs. The Virginia Education Association developed the questions on the survey. The study was not continued because the funding was lost in the General Assembly. Mr. Schroder said after the Board receives Dr. Hambleton's written report, the issue of Study Two will be discussed.

A motion was made to direct the superintendent and staff to compile data from Study One and report to the Board. Dr. Jones seconded the motion, and it carried unanimously.

Report from the Board of Education's Committee on the School Performance Report Card

At the October 22, 2001, meeting of the Board of Education, Kirk Schroder, president, appointed a committee of the Board to work with the Superintendent's Ad Hoc Report Card committee. The charge for the combined group was to review the information currently included on the report card and to make a recommendation to the full board regarding information that could be eliminated from the report card to permit a more timely release. Board members appointed to this committee were Susan Noble, committee chair, Mark Christie, Susan Genovese, and Diane Atkinson. On November 16, 2001, members of the committee met with Stewart Roberson, superintendent of Hanover County Schools and representative of the Superintendent's Ad Hoc Report Card Committee.

Ms. Noble reported that the committee recommends that the Board of Education adopt the following policies and procedures:

1. That the print copy of the school performance report card contain only the Standards of Learning (SOL) test scores and the accreditation rating for the school.
2. Beginning in 2002 the print copy would also contain the scores of students participating in the alternate assessment.

3. This restriction of information included on the print copy of the report card would allow the printed version to be distributed as early as November, beginning in 2002.
4. That the remainder of the report card information specified in the *Standards for Accrediting Schools* would be posted on the Department of Education (DOE) Web site, as it became available.
5. The print copy of the report card that would contain a note explaining that additional information might be found on the DOE Web site or obtained by contacting the local school division.
6. To accommodate parents who might not have access to the Internet, the committee recommended that a printed copy of the information found on the Web site be maintained in the library of each school.

Mrs. Davidson made a motion to accept the recommendations of the committee. The motion was seconded by Mrs. Rogers and carried unanimously.

Report on the Status of the Plan of Action to Support Educational Access and Success for Homeless Children and Youth in Virginia

The Board accepted the November 1999 and January 2000 reports and directed the Superintendent to work with staff to explore actions needed to facilitate the enrollment of homeless children and youth in the public schools of Virginia. A plan of action was presented for review at the May 2000 Board of Education meeting and approved by the Board.

Project HOPE, Virginia's program for the education of homeless children and youth, is administered for the Virginia Department of education by the College of William and Mary. Dr. James H. Stronge, a professor in the Educational Policy, Planning and Leadership Department in the School of Education, is the State Coordinator and Dr. Patricia A. Popp is the Director. Funding for the program is authorized under Subtitle VII-B of the Stewart B. McKinney Homeless Assistance Act of 1987 (Public Law 100-77), reauthorized in 1990 (P.L. 101-645) and 1994 as part of the Improving America's Schools Act (P.L. 103-382).

The Board accepted the report on the status of plan of action for the education of homeless children and youth in Virginia as presented by Dr. Patricia A. Popp.

Presentation of the Annual Report of State Special Education Advisory Committee

The federal Individuals with Disabilities Education Act (IDEA) and state special education regulations require the State Special Education Advisory Committee to submit an annual report of committee activities and suggestions to the Virginia Board of Education.

Throughout the year, committee members discussed the following concerns: (1) Modified Standard Diploma (MSD) concerns; (2) Virginia Alternate Assessment

Program (VAAP) concerns; (3) Licensure and Teacher Shortages; (4) Literacy Level of Materials; and (5) Continuum of Placement Options and the Least Restrictive Environment.

The Board accepted the report of the State Special Education Advisory Committee as presented by Mr. Stan Boren, chair of the committee. Mr. Schroder thanked Mr. Boren for his work with the Advisory Committee and asked the committee to discuss the special education suggestions raised by the Student Advisory Committee. Mr. Boren indicated that the committee would be pleased to consider these recommendations and will report to the Board in the near future.

A Report on the Use of the Local Eligibility License for the 2001-02 School Year

Dr. Thomas Elliott presented this item. Dr. Elliott said that the 2000 General Assembly amended Sections 22.1-298, 22.1-299, and 22.1-303 and added a section numbered 22.1-299.3 of the *Code of Virginia* to establish a mechanism for local school boards to issue a valid three-year, nonrenewable local eligibility license to teachers.

Senate Bill 113 of the 2000 General Assembly required that the Board of Education establish standards governing issuance of a regular five-year license to individuals holding a local eligibility license. The Board of Education approved the standards at its September 28, 2000, meeting. Dr. Elliott added that the *Code of Virginia* requires school boards to provide to the Board of Education information about teachers receiving local eligibility licenses and other data related to the local school divisions' issuance of eligibility licenses as prescribed by the Board.

The Board received the Report on the Use of the Local Eligibility License for the 2001-2002 School Year as presented by Dr. Elliott.

ACTION/DISCUSSION ON REGULATIONS OF THE BOARD OF EDUCATION

Final Review of Proposed Revision to Vocational Education Regulations (8 VAC 20-120-10 et.seq.)

Mrs. Davidson and Dr. Neils W. Brooks, director of Vocational and Technical Education at the Department of Education, presented this item.

The regulations governing Vocational Education are divided into three specific categories: (1) general provisions; (2) administration; and (3) operation of programs. Specific sections of the regulations may be mandated by federal law while other sections are mandated by state law. Changes in both federal and state laws pertaining to vocational education have made it necessary to revise the Vocational Education Regulations.

Suggested changes in the Vocational Education Regulations included the following: (1) deletion of those regulations not deemed essential; (2) revisions to reflect

changes in federal and state laws; and (3) addition of regulations as mandated by federal or state laws. The suggested changes reflect recommendations made during public comment: definitions have been clarified; maximum enrollments have been defined as related to cooperative education and safety issues; and the regulations pertaining to career and technical education student organizations have been revised for clarity.

Mrs. Davidson made a motion to waive first review, and adopt the proposed Regulations Governing Career and Technical Education and authorized the continuation of the Administrative Process Act (APA). Mrs. Genovese seconded the motion and carried unanimously.

The resolution reads as follows:

*Resolution of the Board of Education:
Proposed Revisions to Vocational Education Regulations, 8 VAC 20-120*

Whereas, the regulations governing Vocational Education are divided into three specific categories: (1) general provisions; (2) administration; and (3) operation of programs. Specific sections of the regulations may be mandated by federal law while other sections are mandated by state law. Changes in both federal and state laws pertaining to vocational education have made it necessary to revise the Vocational Education Regulations, 8 VAC 20-120; and

Whereas, in September 2001, the Board conducted public hearings for the proposed regulations; and *Whereas*, the final regulations will include:

- deletion of those regulations not deemed essential;
- revisions to reflect changes in federal and state laws;
- addition of regulations as mandated by federal or state laws; and
- recommendations made during public comment.

Now, Therefore, Be It Resolved by the Board of Education that the Regulations Governing Career and Technical Education be adopted; and

Be It Further Resolved that these regulations will be posted with the Virginia Registrar on December 11, 2001.

Adopted in Richmond, Virginia, This Twenty-seventh Day of November in the Year 2001.

Final Review of Proposed Revisions to Licensure Regulations (8 VAC 20-21-10 et. seq.) Establishing a Career Switcher Alternative Route to Licensure

Dr. Thomas Elliott presented this item. On October 19, 2000, the Board of Education approved an amendment to the *Licensure Regulations for School Personnel* to establish a “career switcher” alternative route to licensure program for military personnel. The Board of Education also approved a Notice of Intended Regulatory Action (NOIRA) to further amend the regulations to establish an alternative route to licensure for all career fields. On November 30, 2000, the Board approved expanding the career switcher pilot program to other professions.

At the January 11, 2001, Board of Education meeting, the Board approved the regulatory language for the public comment phase of the Administrative Process Act (APA) and the continuation of career switcher alternative route to licensure pilot programs for other professions, including military personnel during the summer of 2001 and the 2001-02 academic school year.

A public hearing on the proposed revisions to the licensure regulations for school personnel was held on September 26, 2001. Three individuals presented comments during the public hearing and one individual submitted a written comment prior to the October 11, 2001, closing date.

Of the four public comments, three individuals made positive and supportive remarks regarding the proposed amendments to establish a career switcher program for career professions. However, one of the three individuals who expressed support for the regulations indicated a concern that mentors were not required to attend training. The proposed regulations stipulate that a trained mentor must be assigned to assist the candidate. The training of mentors would be governed by the specific procedures and expectations addressed under section VI of the Board's approved *Guidelines for Mentor Teacher Programs for Beginning and Experienced Teachers*.

The fourth individual expressed concern that the proposed regulations lacked research that validates "short-cut" routes to licensure. The Division of Teacher Education and Licensure is currently undertaking an initiative to conduct a longitudinal study addressing the effectiveness of the career switcher program including the preparation requirements, the one-year induction period, and topics associated with admission, recruitment, retention, and employment. The results of this study will provide research on this route to licensure. In addition, the five pilot programs conducted during the summers of 2000 and 2001 provided guidance for revisions to the proposed regulations.

Ms. Noble made a motion to grant final approval to the proposed revisions to the licensure regulations for school personnel establishing a career-switcher alternative route to licensure. Mrs. Genovese seconded the motion and carried unanimously.

First Review of Amendments to the Regulations Governing the Employment of Professional Personnel (8 VAC 20-440-10 et .seq.)

This item was presented by Anne Wescott, assistant superintendent of policy and public affairs at the Department of Education. The *Regulations Governing the Employment of Professional Personnel* were originally adopted by the Board of Education in 1994. The Board of Education approved the Notice of Intended Regulatory Action (NOIRA) on April 26, 2001, stating its intent to consider amending the *Regulations Governing the Employment of Professional Personnel*. The NOIRA was published in the *Virginia Register of Regulations* on August 13, 2001.

Ms. Noble made a motion to waive first review and approve the proposed amendments to the *Regulations Governing the Employment of Professional Personnel* and authorized the continuation of the Administration Process Act (APA), including public comment. Mrs. Genovese seconded the motion and carried unanimously.

PUBLIC COMMENT

No one spoke during public comment.

DISCUSSION OF CURRENT ISSUES

Dr. DeMary reported on two recommendations the Adult Education Advisory Committee referred by the Board.

The first recommendation was to move the administration of the Local Even Start grants to the adult education unit because of the emphasis that the Even Start Grants places on family literacy. Dr. DeMary said grant applications will be sent out in Superintendents Memo on Friday with a due date for return in February. Dr. DeMary requested the Compensatory program staff to continue working with school divisions with their applications and in February as the applications come back into the department, the adult education staff and compensatory program staff will work together to review the grants and begin the transition process.

The second recommendation was to increase the visibility of adult education in the department by creating a separate division. Dr. DeMary said she has looked at several recommendations; however, she feels this is an awkward time to make changes in the organizational structure of the department, at this time. Therefore, Dr. DeMary said the department structure will remain as it is until the expectations of the new administration is known.

ADJOURNMENT

There being no further business of the Board of Education and Board of Vocational Education, Mr. Schroder adjourned the meeting at 4:40 p.m.

President

Secretary